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Attorneys for Defendants  
GAMESTOP CORP. and GAMESTOP, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

MELISSA ARECHIGA, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

GAMESTOP CORP., a Delaware corporation,  
and GAMESTOP, INC., a Delaware  
corporation,

Defendants.

Case No. 3:11-cv-00843-SI

CLASS ACTION

**STIPULATION FOR DISMISSAL WITH  
PREJUDICE OF CLASS ACTION  
COMPLAINT AND FOR WAIVER OF  
FEES AND COSTS BY PLAINTIFF AND  
DEFENDANTS**

Complaint Filed: February 23, 2011  
Trial Date: Not Set

CASE NO. 3:11-cv-00843-SI

STIPULATION FOR DISMISSAL WITH PREJUDICE OF CLASS ACTION COMPLAINT, AND FOR WAIVER OF  
FEES AND COSTS BY PLAINTIFF AND DEFENDANTS

1 TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 WHEREAS, plaintiff Melissa Arechiga ("Plaintiff") filed a complaint on February 23, 2011,  
3 alleging violations of California's Song-Beverly Credit Card Act (the "Action") against defendants  
4 GameStop, Inc. and GameStop Corp. ("Defendants," and with Plaintiff, the "Stipulating Parties");  
5 and

6 WHEREAS, the Stipulating Parties have exchanged extensive informal discovery during the  
7 past three months, including Plaintiff's credit card statements, Defendants' relevant policy and  
8 procedure documents, the transaction records of Plaintiff's purchases with Defendants, and  
9 declarations by Defendants' employees; and

10 WHEREAS, the Stipulating Parties agree that the documents exchanged demonstrate that:  
11 (1) Defendants did not record Plaintiff's personal identification information in conjunction with her  
12 credit card transactions with Defendants; (2) Defendants had, and currently have, a policy in place  
13 in California, at all times during the relevant period in question, including the class period alleged in  
14 the Action, instructing its cashiers not to request or record customers' personal identification  
15 information in conjunction with credit card sales transactions in compliance with California's Song-  
16 Beverly Credit Card Act; and (3) the transaction records and policies Defendants provided to  
17 Plaintiff are authentic copies of the transaction records and policies maintained by Defendants; and

18 WHEREAS, Plaintiff believes that, if true, the information provided by Defendants thus far  
19 would likely defeat her claims asserted in the operative First Amended Complaint and that the costs  
20 of continuing to litigate this case are now higher than her likelihood of success; and

21 WHEREAS, no consideration, either direct or indirect, has been given in exchange for  
22 dismissal with prejudice of the Action; and

23 WHEREAS, the Stipulating Parties have agreed to each bear their own attorneys' fees and  
24 costs related to the Action and its dismissal.

25 NOW, THEREFORE, the Stipulating Parties hereby stipulate and request that the Court  
26 approve this stipulated voluntary dismissal and dismiss the Action, and all causes of action alleged  
27  
28

1 therein, with prejudice, as to all Defendants and order the Stipulating Parties to bear their own  
2 attorneys' fees and costs.

3 **IT IS SO STIPULATED.**

4 Dated: July 27, 2011

HOFFMAN & LAZEAR

5  
6 By /s/ Chad A. Saunders  
7 Chad A. Saunders  
8 Attorneys for Plaintiff Melissa Arechiga

9 Dated: July 27, 2011

MORGAN, LEWIS & BOCKIUS LLP

10  
11 By /s/ Diane L. Webb  
12 Diane L. Webb  
13 Attorneys for Defendants GAMESTOP CORP.  
14 and GAMESTOP, INC.  
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**[PROPOSED] ORDER**

The Court, having reviewed the above stipulation of the Stipulating Parties, HEREBY  
ORDERS THAT:

1. The action filed by plaintiff Melissa Arechiga entitled *Arechiga v. GameStop Corp. et al.*, Case No. 3:11-cv-00843-SI (the “Action”), is hereby voluntarily dismissed, with prejudice, in its entirety, including all causes of action therein, as to all defendants; and

2. The Stipulating Parties are to bear their own attorneys’ fees and costs in connection with the Action and its dismissal.

**IT IS SO ORDERED.**

Dated: July 27, 2011



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Susan Illston  
United States District Court Judge

**CERTIFICATION**

I, Chad Saunders, am the ECF User whose identification and password are being used to file this STIPULATION FOR DISMISSAL WITH PREJUDICE OF CLASS ACTION COMPLAINT AND FOR WAIVER OF FEES AND COSTS BY PLAINTIFF AND DEFENDANTS. In compliance with General Order 45.X.B., I hereby attest that Diane Webb has concurred in this filing.

Dated: July 27, 2011

HOFFMAN & LAZEAR

By /s/ Chad A. Saunders  
Chad A. Saunders  
Attorneys for Plaintiff Melissa Arechiga